

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

**CHARLIE THOMPSON,**

**Petitioner,**

**v.**

**UNITED STATES OF AMERICA,**

**Respondent.**

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**1:05CV00497**

**2:88CR152-6**

**J-U-D-G-M-E-N-T**

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on June 3, 2005, was served on the parties in this action. No objections were filed within the time prescribed by § 636.

The court hereby adopts the Magistrate Judge's Recommendation.

**IT IS HEREBY ORDERED AND ADJUDGED** that Petitioner's "memorandum of law pursuant to Rule 52(b) [Pleading No. 1] be construed as a motion to vacate, set aside or correct sentence, and that the motion to vacate be dismissed without prejudice for Petitioner's failure to obtain certification for this § 2255 application by filing a Motion for Authorization in the court of appeals as required by 28 U.S.C. §§ 2244 and 2255 and the Fourth Circuit Local Rule 22(d).

This the day of November 7, 2005

/s/ N. Carlton Tilley, Jr.  
United States District Judge